

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TIME WARNER CABLE INC.,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 1:07-cv-067-***
)	Jury Trial Demanded
GPNE CORP.,)	
)	
Defendant.)	
)	

**DECLARATION OF MATTHEW CANNON IN OPPOSITION
TO GPNE CORP.'S MOTION TO DISMISS, STAY OR TRANSFER**

I, Matthew Cannon, hereby declare and state as follows:

1. Unless otherwise stated, I have personal knowledge of the facts stated herein and if called to testify, I could and would be able to testify to the statements made herein.

2. I am a manager in voice and IP services at Time Warner Cable Inc. ("TWC"). I am responsible for the detailed design of the voice network and other applications running on top of the high speed data network. I have worked in the telecom and cable industry for more than 15 years, and joined TWC in 2004.

3. TWC operates cable systems in a number of markets throughout the United States and offers a variety of services through its cable systems, including high speed data service.

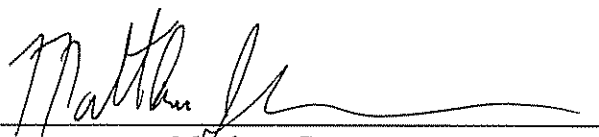
4. I have personal knowledge of the design and operation TWC's cable systems. I work at TWC's facility in Herndon, Virginia, where TWC houses its

corporate engineering facilities. Most of the documents related to the general system design and deployed implementation of TWC's high speed data service are created in Herndon, Virginia and are accessible there. Likewise, most of the TWC corporate engineers who are familiar with the general system design of TWC's high speed data service are located in Herndon, Virginia.

5. I understand that GPNE accuses TWC of infringing its patent by using DOCSIS-based equipment to deliver high speed data service. The vendors who produce equipment used by TWC to deliver this service are located in areas more convenient to Delaware than to the Eastern District of Texas. For example, Motorola, which makes DOCSIS-based cable modems (CMs) and cable modem termination systems (CMTSs) used to deliver high speed data service, is located in Horsham, Pennsylvania. Scientific Atlanta, now owned by Cisco Systems, and ARRIS also both make DOCSIS-based CMs and CMTSs and are located in Atlanta, Georgia.

I declare under penalty of perjury that to the best of my knowledge, information and belief, the foregoing statements are true and correct.

Executed this 14th day of March 2007 in Herndon, Virginia.


Matthew Cannon

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2007, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and Hand Delivered to the following:

Richard K. Herrmann, Esquire
Morris James, LLP
500 Delaware Avenue, suite 1500
Wilmington, DE 19801-1494

I hereby certify that on March 15, 2007, I have sent by Federal Express, the foregoing document to the following non-registered participants:

Edward W. Goldstein
Corby R. Vowell
Goldstein, Faucett & Prebeg, LLP
1177 West Loop South, Suite 400
Houston, Texas 77027



Jameson Tweedie (#4927)
tweedie@rlf.com